

On behalf of the Mayor, Council President Waneck discussed how everyone enjoyed the Home for the Holidays parade, a Westwood institution.

Council President Waneck advised that the Borough is continuing to expedite the FEMA requests with the goal of meeting a mid-December deadline to put to rest the purchase of 3 homes.

**B) Engineer's Report**

**a) Biweekly Report**

Mr. Senkevich reviewed the weekly report, a copy of which is attached.

**b) Broadway Resignalization**

Mr. Senkevich advised that the final changes to the Broadway plans from the County have been incorporated, and the plans will be delivered to NJ Transit for their final review on Friday. Councilmember Grefrath asked if this is the final review round, or if NJ Transit makes changes would there be another review by the County. Mr. Senkevich said any Transit changes would just be incorporated. He hopes this is the final review, and the project could be bid in January or February.

**c) Cost Benefit Analysis**

Mr. Senkevich reported that the cost benefit draft analysis has been provided to the Borough. Boswell did not find major issues, although there are some cases of multiple tenants that created higher flow. They recommend an I and I study to where the inflow may be. Council President Waneck asked for the study to be listed on the next agenda since decisions need to be made early in the year for budget purposes.

**C) Disaster Assistance Presentation**

Council President Waneck introduced Cynthia Cowell from the SBA Office of Disaster Assistance. Ms. Cowell advised that low interest government loans are available for homeowners and businesses that may have suffered damage during Superstorm Sandy. She reviewed the loan amounts and rates. Business loans cover damage and power loss. Applicants can apply online at [www.disasterloan.sba.gov/ela](http://www.disasterloan.sba.gov/ela) or call 800-659-2955. There is also a disaster recovery center for residents in the County building on the fourth floor that is open 9-7 Monday through Saturday. The business recovery center is located at Bergen Community College from 9-5 Monday through Friday. Ms. Cowell urged anyone who had any damage at all to register with FEMA at FEMA.gov. Once registered they may be referred to SBA for loan consideration. If a homeowner or renter is referred, they need to complete and return the application or they will disqualify themselves from grant assistance from FEMA.

Mr. Hoffmann noted that the SBA offers loans for property owners. Westwood residents who have had trees come down may apply to the SBA for help with repair of curbs, sidewalks, landscaping, and debris removal. Mr. Huntington asked if government entities were eligible. Ms. Cowell said no. Councilmember Sciara asked if this information is on the Borough website. Council President Waneck confirmed. Councilmember Quinn asked if applicants must be registered with FEMA first. Ms. Cowell said it is recommended and a good idea but a resident does not HAVE to. Councilmember Quinn asked if assistance is available for someone having trouble filling out forms. Ms. Cowell said there is. Council President Waneck observed that a FEMA registration becomes public information, and asked if this the same. Ms. Cowell said no, the application information remains confidential. Ms. Cowell said she will be available after meeting for any questions from the public.

**D) Council Liaison & Committee Reports**

**1) Finance, Administration and Capital Projects:**

**a) Budget Update**

Councilmember Phayre reported that the Auditor reviewed the general ledger as part of the transition of CFOs. Results should be available soon.

**2) Police and OEM:**

**a) Historic Preservation Commission**

Councilmember Miller reported that the Historic Preservation Commission plans to continue discussing historic designation.

**b) Police Department Update**

Councilmember Miller announced that the police candidates are undergoing background checks. The requirement for a date specific resignation has been received, and the date is December 17. The Police Chief will distribute 5 resumes to choose from. The officers must be sworn in by January 8 to be eligible for training at the Police Academy in January.

**3) Fire and Ambulance:**

**a) Environmental Committee**

Councilmember Sciara noted that the Environmental Committee will need personnel for 2013.

**b) Fire Department Update**

Councilmember Sciara reported that the Fire Department was very involved in Home for the Holidays. Santa will be visiting the Borough shortly. The Fire Department continues to drill and answer calls.

**4) Public Properties:**

**a) Library Update**

Council President Waneck announced that the Library has decided to brand themselves, and has been creating logos for events and cards. Final approval will be by the Library Board.

Council President Waneck advised that Librarian Urbiel and Borough Clerk Hughes have idea for Sustainable Jersey regarding anti-idling. Ms. Urbiel has found a movie that deals with anti idling. She would like someone from the Police Department to attend and talk about idling and its effects on environment, and also have the School Board participate. Council President Waneck thinks it is a good idea that falls in line with Sustainable Jersey. She asked for a consensus to move forward, which was unanimous. She asked Councilmember Miller to contact the Police Department. Councilmember Sciara asked whom the movie is directed towards. Council President Waneck said it is for everybody, since idling is a statutory offense that people should know about.

**5) Land Use:**

**a) Shade Tree Ordinances**

Councilmember Quinn asked whether there were any questions or actions to be taken based on the Shade Tree Committee's presentation in September of proposed ordinances. Council President Waneck said the ordinances had been discussed at length, and she believes the consensus is not to change the status of Shade Tree to a commission. Her feeling would be to table the ordinance entirely, and continue as is.

Councilmember Quinn distributed copies of the Forestry Grant application. She noted there is a lot to review, so the Governing Body will discuss and move on it at the next meeting.

**b) Master Plan Ordinances**

Councilmember Quinn explained the proposed Master Plan ordinances, one of which pertains to total surface coverage and front yard limitations, while the other is related to the RW zone. She asked for any other comments besides those received from Council President Waneck. Mr. Huntington noted that ordinance adoption can't straddle the calendar year. Council President Waneck doesn't agree that stones or gravel should be part of an impervious surface. It is restrictive for homeowners to have that counted against them. She is happy to see handicapped ramps as temporary. She is troubled by private garages, and while she understands the Planning Board's intent, the ordinance would require a two-car garage for a fourth bedroom. This would become a burden for many people, especially if moving in elderly parents. She wants the Planning Board to vet it out more. Councilmember Miller said he struggles with the same issues, especially stones where grass doesn't grow. Councilmember Quinn agrees.

Councilmember Quinn relayed that the Planning Board believes the RW zone should be expanded and allowed to grow. Council President Waneck pointed out that none of the proposed uses are different from uses in other areas. Councilmember Quinn agreed.

**6) Health and Recreation:**

**a) Recreation Fee Ordinance**

Before discussion began on the recreation fee ordinance, Council President Waneck noted that there will be time during the Public Forum for public discussion of the matter. She distributed information regarding the ordinance to the audience.

Councilmember Grefrath explained that it has always been the Governing Body's desire to know how much Westvale Park was costing to build and operate. As part of last year's budget meetings a page was added to the budget specifically for Westvale Park costs. During the summer it was noted that the estimates on lighting costs were substantially higher than any preconstruction estimates. The Recreation Director and Administrator were asked for a report on how much each field costs to light.

Councilmember Grefrath commented that he is not adverse to the idea of users paying for the lighting. However, the Recreation Board unanimously determined that they do not want to have any fee for Westwood sports groups to pay for any lighting at Westvale Park. They believe renters and sports groups outside of Westwood should pay for lights.

The lighting report was brought to the Council, who requested additional

information in order to make a decision.

Councilmember Grefrath noted that there is now almost a full year of data from 2012 to aid in the 2013 budget process. He discussed the ordinance and budget process, explaining that spending more money on Westvale takes money away from somewhere else. Bonding is used for construction but it is not possible for services. He reiterated that the Recreation Board does not want lighting fees for internal organizations, but the Council must look at everything.

Mr. Hoffmann said the October and November bills have not been received yet, but the CFO feels there is adequate funds available to cover lighting costs for 2012. Several Councilmembers expressed their disbelief.

Mr. Hoffmann noted that the recreation ordinance could be divided into two schedules, one for programs and Community Center use, and the other for the fields and lighting.

Councilmember Phayre asked if the sports groups had seen the report on the lights. Members of the audience said no. Councilmember Phayre asked how it could be accurate if it is one-sided. He would like the sports groups to review the information and be part of the conversation. Mr. Hoffmann does not disagree with Councilmember Phayre. The report reflects scheduled hours that groups requested to use the fields. He does not know if it was shared with the sports groups. Councilmember Quinn asked if it was shared with the Recreation Board. Councilmember Grefrath said he did not share it. Councilmember Quinn wondered if the Recreation Board knew what the costs were when they said no fees should be charged. Councilmember Grefrath pointed out that a byproduct of the lighting discussion would be lights being left on late at night.

Council President Waneck said the Borough can't move forward on its budget until there is an ordinance and an idea of revenues coming in. The sports groups also need to plan their budgets.

Council President Waneck referred to the continued reference to using the Recreation trust fund for Recreation expenses, and stated is not the purview of the Recreation Director to decide how it is used. Councilmember Sciara stated that it is the purview of the Council to decide where the trust goes, and up to the Council to direct that money to offset costs. He emphasized again that it is a Council decision, and the Director should speak to the Council about how the account should be dispersed. Mr. Hoffmann noted that funds can't be moved without signoff by the Governing Body. Council President Waneck said the Council was originally told the trust fund money would go into General Revenues but it is now going into Recreation. This will be taken up in January.

Councilmember Sciara emphasized the need for accurate PSE&G bills for Westvale. Council President Waneck said the Borough worked on that earlier in the year, and she has signed off on the bills because they are now accurate. The Borough hadn't known about the summer surcharge prior to the PSE&G discussions on the bills.

Councilmember Miller declared that there have been transfers made from accounts without the Governing Body knowing it, so the statement about signoffs is inaccurate. The CFO has already been alerted to that.

Mr. Hoffmann said he does not want to misspeak regarding funding being available to cover the 2012 lighting costs. He will provide the account numbers discussed with the CFO via email tomorrow.

Councilmember Phayre asked why the Recreation Director was not in attendance to discuss such an important issue. Mr. Hoffmann said he was not asked.

**E) Attorney's Report**

No report

**8. Agenda/Public Forum:**

**Motion to open the Agenda/Public Forum:** Councilmember Sciara

Second: Councilmember Miller

Voice Vote: A voice vote was taken with all present voting in the Affirmative.

Chris Codner, 182 Roosevelt, Dragons Soccer, Recreation Advisory Board – stated it is the first time he is seeing these numbers. The amounts might affect when practices are held. Mr. Codner said things can be streamlined if information is in hand. He voiced his support of providing lighting. He emphasized that it is a volunteer organization. He likened the cost of the lights to the tax money that goes towards the library, which he personally doesn't use but is happy to support.

Charles Johnston, 30 Carolyn Street, Westwood Football President – first time he's seeing numbers and they seem skewed, particularly the August numbers. Mr. Johnston said they are only there until 8 pm in August and since it isn't dark they don't turn the lights on. He understands the Council needs to budget. He explained that Westwood Youth Football operates on registration fees and fundraising. It would be difficult to ask the members to pay for lights when as taxpayers they are already paying for the bond. The only way Football could pay for lights is to raise the participation fee. They already award scholarships to those who can't afford to participate.

Angelo Pira, 34 St. Nicholas, Westwood Softball President - grateful for Westvale park, which is a first class facility. Mr. Piero said there was a lot of hard work and effort that went into building the park. He remembers that there was x amount of money for the park and after that organizations would foot the bill. Last year Westwood Softball embraced that situation, spending \$8963 on Westvale park. Softball hasn't raised its registration fee in 6 years, and also has scholarship players. They haven't raised their registration fee in 6 years, but wouldn't be able to charge that any more if there were lighting fees. Mr. Pira noted they all share the same sponsors, one of which was lost this week when Irish Eyes announced it is closing.

Bill Bortz, 27 West End Ave, Recreation Soccer - hearing discussion about in town/out of town fees raises the concern that fees would apply to Township participants, which could result in Township charging Westwood for use of their facilities. Mr. Bortz asked if fees would be charge when playing out-of-town teams, and if the fee structure would be per participant. Will soccer carry the weight for programs that are smaller? Mr. Bortz noted that soccer also provides scholarships, and lent their generator to the Borough during the hurricane. They will be more than happy to work around the peak hours, and can use their own generator lights. Mr. Bortz understands the cost is a reality. He would like a solution that doesn't divide the sports clubs or Westwood and Washington Twp.

Council President Waneck explained that the Borough has been trying to get a handle on lighting costs for a while. The Council knew the numbers were high but didn't get the breakdown until

November. She apologized that the information wasn't shared in the past. The Governing Body figured the sports teams would work towards a solution once they saw the numbers.

Mr. Pira said the Westwood Baseball President shared the same concerns but was unable to attend the meeting.

Councilmember Grefrath said it feels good to hear coaches say they now see the numbers and if there is something they can do they will. Councilmember Grefrath said the Council was just as shocked as the coaches are with the rates.

Councilmember Phayre would like to see representatives from each sports group meet with Mr. Buchheister and Mr. Hoffmann to review the numbers and put the data into a more simplistic format.

There seem to be many options and ways of conserving. He asked how the operation of the lights works. Mr. Johnston said each organization has a specific code to turn the lights on. From a foot ball standpoint he turns lights on and off. In August they don't use the lights. Going forward they might adjust practice times based on light costs. He asked if the numbers are for 2012. Council President Waneck confirmed that they are 2012 costs from PSE&G bills. Mr. Johnston said the way the lights are set up, Mr. Buchheister can get a report on which codes are used. Councilmember Sciara told Councilmember Grefrath to get that report.

Councilmember Quinn noted that not only can lights be turned off from a cell phone, if the Police Department gets a call they can turn the lights off in instant. Mr Piro said he frequently receives calls about the lights and can turn them off. He said they go off automatically at 11 pm.

Councilmember Quinn reiterated that it's taken years to open Westvale, requiring a lot of vision and hard work. This past year has seen growing pains in making it work. The Governing Body knew from the start the costs would be off but thought estimates would be closer with light expenses. The Governing Body wants to see programs grow, and values every volunteer and every age group. The key is to work together. With a different number of kids participating in programs it is not fair for one group to shoulder the burden. All have to work it out together, considering seniors and taxpayers as well. All want what's best for Westwood.

Councilmember Sciara commented that it was a good night, with lots of information. He wants the Recreation Director to inform the Council on the lighting software package, and wants the reports provided and shared. Councilmember Grefrath will request them and provide them. Councilmember Sciara asked if the lights time out themselves. Mr. Johnston confirmed that they do.

Councilmember Quinn would like to see all organizations work together rather than focusing on 'your' fields or 'your' benches. Mr. Bortz pointed out that the organizations do work together on things like field blankets that can be used on all fields. Council President Waneck said the Council has been provided with a breakdown of what each organization has spent at Westvale. She would like that reviewed by the groups as well.

Mr. Johnston said that while Councilmember Quinn said Westvale was planned with a lot of vision and input, football has a sound system they use but there isn't an electrical outlet to plug that in. He installed an outlet on one of the light poles but has to turn lights on in daylight to run the sound system. There is no outlet on any field. Mr. Johnston thought the Governing Body should bring in the volunteers to ask what they would like to see at the field. Council President Waneck said there was a coalition during the planning stage. Mr. Piro said he was told water and electric would be there but it is not. There wasn't feedback from them. Mr. Piro said there are bolts on methane pipes that they had to pad for safety. Council President Waneck said there was representation from sports in planning the park years ago.

**Motion to close the Agenda/Public Forum:** Councilmember Sciara  
Second: Councilmember Grefrath  
Voice Vote: A voice vote was taken with all present voting in the affirmative.

**9. Administrator's Report**

**a) Liability Coverage**

Mr. Hoffmann advised he will be distributing a memo discussing limits to the Borough's liability coverage, which will require a decision by February 1<sup>st</sup>.

**10. Ordinances of First & Final Reading:**

**Ordinance for Introduction**

**12-24 An Ordinance Amending Chapter 243 Parks and Recreation Areas Schedule A Recreation Depart. Fees**

Discussion was held on whether to make lights 'TBD'. Council President Waneck wants a decision by January for budget purposes. Councilmember Phayre said there has to be a meeting with the sports groups to make those decisions. Councilmember Miller asked for the Recreation Director to be present at the next discussion in order to make a decision. Mr. Huntington suggested a Schedule A for programs, Schedule B for lighting.

**BE IT RESOLVED** that Ordinance #12-24 entitled "**An Ordinance Amending Chapter 243 Parks and Recreation Areas Schedule A and B Recreation Department Fees**" is hereby introduced by title; and

**BE IT FURTHER RESOLVED** that the Borough Clerk is hereby directed to advertise said ordinance with a December 18, 2012 hearing date in the official newspaper according to law.

**Motion to pass the ordinance on First Reading:** Councilmember Grefrath  
Second: Council President Waneck

Roll Call:	Councilmember Grefrath – Yes	Councilmember Miller – Yes
	Councilmember Phayre – Yes	Councilmember Quinn – Yes
	Councilmember Sciara – Yes	Council President Waneck – Yes

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**11. Presentation of Bills, Financial Reports and Resolutions:**

Mayor Birkner advised that the following Resolutions would be enacted in one motion. Councilmembers who wished to remove any Resolution(s) to be voted upon separately, had the opportunity to do so at this time, and said Resolutions would be considered separately. Councilmember Miller requested resolution 'b' be voted on separately. Regarding the Bills List, Councilmember Quinn Bills list page 3, 4, item for valley health medical group, audio and vision for crossing guards, same bill twice? RSH will double check, had to send crossing guards, questioned whether an invoice for audio and visual testing for Crossing Guards appeared twice. Mr. Hoffmann thought there might not be enough money in the police line to cover it. He suggested approving the bills list pending his investigation and response to the Council. Councilmember Phayre questioned



whether the purchase of a television by the Police Department is for training. Councilmember Miller was not familiar with the purchase. Councilmember Phayre requested clarification

**Resolutions:**

**a) Resolution #12 – 312: Bill List & Statement of Cash**

**Motion to adopt resolution #12-312:** Councilmember Grefrath

Second: Councilmember Phayre

Roll Call: Councilmember Grefrath – Yes    Councilmember Miller – Yes  
                 Councilmember Phayre – Yes       Councilmember Quinn – Yes  
                 Councilmember Sciara – Yes    Council President Waneck – Yes

**b) Resolution #12 - 313: Supporting A2444 Eliminating Summer, Holiday and  
Vacation Recess Unemployment Benefits**

**Motion to adopt resolution #12-313:** Councilmember Grefrath

Second: Councilmember Sciara

Councilmember Miller stated he opposed the resolution the last time, since it doesn't allow Crossing Guards to collect unemployment when they have contributed to it. He understands there have been issues in the past. Crossing Guards don't make a lot of money, and are out in all weather. Councilmember Miller commented that for the Borough to say a law enabling them to collect is not appropriate takes away from them, and he is not comfortable with that. Council President Waneck asked if the Borough has the ability to not collect unemployment. Councilmember Miller said no, it has to be paid. Councilmember Phayre asked if there could be a refund; Councilmember Miller said no. Mr. Huntington explained that the proposed legislation states if a Crossing Guard is given assurance that they are being rehired, they can't collect during the summer or other vacations. Councilmember Miller said the Borough will offer alternative employment. If the Crossing Guards don't want that option then they are ineligible for collection. Mr. Huntington said that under the proposed law if a Crossing Guard is fired he/she will be eligible to collect unemployment. Councilmember Phayre noted unemployment and disability are collected together.

Roll Call: Councilmember Grefrath – No    Councilmember Miller – No  
                 Councilmember Phayre – No       Councilmember Quinn – No  
                 Councilmember Sciara – Yes    Council President Waneck – No

**12. Adjournment:**

**Motion to adjourn:** Councilmember Sciara    Second: Councilmember Miller

Voice Vote: A voice vote was taken with all present voting in the affirmative.

The time was 9:35 pm.

Attest:

*(signed) Karen Hughes*

Karen Hughes, RMC, Borough Clerk

Proofed by: Denise Holmes, Deputy Clerk